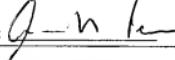


**CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that this correspondence is being filed electronically with the U.S. Patent and Trademark Office on the below date:

Date: January 23, 2009 Name: Amir N. Penn Reg. No. 40,767 Signature: 

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Kenji Ishii

Appln. No.: 10/772,223

Filed: February 3, 2004

For: APPARATUS AND A METHOD FOR  
OPTIMIZING NETWORK RESOURCES  
EMPLOYED IN DATA COMMUNICATION

Attorney Docket No: 9683/165

Examiner: Baturay, Alicia

Art Unit: 2155

Confirmation No. 2202

**RESPONSE TO FINAL OFFICE ACTION MAILED SEPTEMBER 23, 2008**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In reply to the Final Office Action mailed September 23, 2008, please amend the above-identified application as follows:

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks** begin on page 8 of this paper.